Amendment Under 37 C.F.R. § 1.114(c) U.S. Application No. 09/497,522

Atty. Docket Q53231

REMARKS

Claims 1-48 are all the claims pending in the application. Claims 1 and 2 stand rejected

under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,956,026 (Ratakonda).

Claims 3-48 are the subject of a May 5, 2003 Restriction Requirement. Applicants have

canceled claims 1-48 and added new claims 49-55. Claims 49-55 include the features of

canceled claims 1 and 2.

These claims are thought to distinguish over Ratakonda for at least the reasons provided

in the April 16, 2004 Response, and in particular that histograms of the present invention

represent motion intensities of a video stream using motion compensation information included

in the video stream.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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Date: June 16, 2004